

1 MAYER BROWN LLP
Carmine R. Zarlenga (D.C. Bar No. 286244)
2 *czarlenga@mayerbrown.com*
1999 K Street, N.W.
3 Washington, DC 20006-1101
Telephone: (202) 263-3000
4 Facsimile: (202) 263-3300

5 MAYER BROWN LLP
Dale J. Giali (Cal. Bar No. 150382)
6 *dgiali@mayerbrown.com*
350 South Grand Avenue
7 25th Floor
Los Angeles, CA 90071
8 Telephone: (213) 229-9500
Facsimile: (213) 625-0284

9 Attorneys for Defendant
10 NESTLÉ USA, INC.

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**
14

15 JUDE TRAZO and MARIANNA BELLI,
individually and on behalf of all others similarly
16 situated,

17 Plaintiffs,

18 v.

19 NESTLÉ USA, INC.,

20 Defendant.
21
22
23
24
25
26
27
28

Case No. CV12-02272 PSG

**JOINT STIPULATION TO CONTINUE
DECEMBER 1, 2015 HEARING ON
MOTION TO DISMISS TO FEBRUARY
1, 2016**

[Proposed Order Attached]

1 Plaintiffs Jude Trazo and Marianna Belli and Defendant Nestlé USA, Inc. (“Nestlé
2 USA”), by and through their respective counsel of record, enter into the following stipulation,
3 subject to Court approval, to continue the December 1, 2015 hearing on the motion to dismiss the
4 fourth amended complaint (“4AC”) to February 1, 2016:

5 WHEREAS, the parties have fully briefed the motion to dismiss the 4AC and a hearing
6 on the motion is set for December 1, 2015; and

7 WHEREAS, the parties have met and conferred and, based on recent developments and
8 the schedules of the parties, the parties request a continuance of the hearing on the motion to
9 dismiss the 4AC to February 1, 2016;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between
11 plaintiffs and Nestlé USA, subject to approval from the Court, that the hearing on the motion to
12 dismiss the 4AC shall be continued to the Court’s usual motion calendar on February 1, 2016.

13
14 Dated: November 25, 2015

NEAL & HARWELL, PLC

15
16 by: /s/ Charles Barrett
Charles Barrett
17 Attorneys for Plaintiffs

18
19 Dated: November 25, 2015

MAYER BROWN LLP
Carmine R. Zarlenga
Dale J. Giali

20
21 by: /s/ Dale J. Giali
Dale J. Giali
22 Attorneys for Defendant
23 NESTLE USA, INC.

SIGNATURE ATTESTATION

Pursuant to the Northern District of California Civil L.R. 5-1(i)(3), I hereby certify that the contents of this document are acceptable to Charles Barrett, counsel for plaintiffs, and that I have obtained Mr. Barrett's authorization to affix his electronic signature to this document.

/s/ Dale J. Giali
Dale J. Giali

ORDER

PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.

Dated: _____

Hon. Paul S. Grewal
United States Magistrate Judge